

[Docket Nos. 10 and 11]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

ROBERT S. CONRAD, SR.,

Plaintiff,

v.

THE WACHOVIA GROUP LONG TERM
DISABILITY PLAN,

Defendant.

Civil No. 08-5416 (RMB/JS)

ORDER

THIS MATTER having come before the Court upon cross-motions
for summary judgment; and

THE COURT having considered the parties' written
submissions; and

FOR THE REASONS set forth in the Opinion of this date;

IT IS on this, the 21st day of September 2010, hereby

ORDERED that Defendant's Motion for Summary Judgment [Docket
No. 11] is **GRANTED** with respect to the termination of Plaintiff's
benefits; and

ORDERED that Defendant's Motion for Summary Judgment [Docket
No. 11] is **DENIED**, without prejudice, with respect to the
calculation of Plaintiff's benefits; and

ORDERED that Plaintiff's Motion for Summary Judgment [Docket

No. 10] is **DENIED** with respect to the termination of Plaintiff's benefits; and

ORDERED that Plaintiff's Motion for Summary Judgment [Docket No. 10] is **DENIED**, without prejudice, with respect to the calculation of Plaintiff's benefits; and

ORDERED that the parties submit supplemental briefs on or before October 21, 2010, addressing the calculation of Plaintiff's benefits (and the dismissal of Count 2, if appropriate); and

ORDERED that the parties may file a reply to each other's supplemental brief, if necessary, on or before November 4, 2010.

s/Renée Marie Bumb
RENÉE MARIE BUMB
United States District Judge